

Applicant : Donald X. Smith II
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REMARKS

In the Office Action, the Examiner objected to Claims 1, 17, and 21 due to various informalities dealing with antecedent basis and format. The Applicant respectively submits the above amended claims to specifically address the antecedent basis and formatting corresponding to the aforementioned informalities. Accordingly, no new matter has been added to the present claims as currently amended.

Regarding the rejections, the Examiner rejected claims 1-9, 12, 13, 17 and 19 under 35 USC 102(e) over Inora (US Pat. No. 6,145, 947), hereinafter "Inora". Further, claims 10 and 18 were rejected under 35 USC 103(a) also over Inora but also in view of Grune et. al (US Pat. No. 6,209,995 B1), hereinafter Grune. While the Applicant appreciates the Examiner pointing out certain aspects of these potential references, we must respectfully submit that these references alone or combination do not teach or suggest any aspect of the present invention. The Applicant's careful review of these cases indicates that they discuss an entirely different problem compared with the present invention and therefore the solutions they suggest are also unrelated.

Indeed, Inora does not even mention a method of rationing an ink supply as suggested in the Office Action but instead teaches an allegedly new method of measuring ink consumption. Specifically, the "Field of the Invention" in Inora expressly states that Inora is concerned with an improved ink level detection method and system for an inkjet printer (Inora, Col. 1, lines 6-8). According to Inora, a new ink level detection method is needed as increasingly higher resolution printers using conventional ink level detection methods overwhelm the printer with ink consumption measurement tasks. In particular, Inora asserts that the conventional approach of counting both the dots being printed and the ink suctioned from the printhead during cleaning consumes sufficient resources to slow down the printing process (Col.1, lines 36-39). Hence, it is not surprising that Inora expressly limits itself to two objectives: (1) a method and system to detect ink consumption while improving print speed (Inora, Col 1, lines 43-45) (2) a method and

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system of achieving reliable ink consumption and detection. Neither of these objectives tend to either teach or suggest the novel and non-obvious method and system of ink rationing associated with the present invention.

Nonetheless, the Examiner rejected independent Claim 1, Claim 7, Claim 13, Claim 17 and Claim 19 allegedly because Inora describes a controller having a means for instructing the printing device to print in an ink-rationing mode (Inora, Col. 3, lines 7-8; Col. 3, lines 21-36; Col. 6, lines 55-65 and Figure 1, element 103, 106, 107). Unfortunately, none of these citations alone or in combination support the assertion that Inora teaches or even suggests ink rationing or an ink rationing mode. Instead, the first citation merely explains that the carriage reciprocates while printing using the ink cartridge (Inora, Col. 3, lines 7-8); the next citation deals with hardware and operations for measuring ink consumption (Inora, Col. 3, lines 20-36); yet another citation defines a block as a 16x16 matrix and uses a measure of 1x10⁻⁸ grams for the ink consumed when printing each block (Inora, Col. 6, lines 47-65). Clearly, these citations do not appear to teach or suggest ink rationing or related concepts hence the Applicant respectfully submits that independent Claim 1, Claim 7, Claim 13, Claim 17 and Claim 19 remain patentably distinct over Inora and should be allowed immediately.

Further, dependent claims 2-6, Claims 8-12, Claim 18 and Claim 20 also remain dependent on allowable independent Claim 1, Claim 7, Claim 13, Claim 17 and Claim 19 respectively thus are also in condition for allowance for at least the same reasons previously described.

The Examiner has also improperly asserted that Figures 1, 2, 5, 6 and 8B of Inora teaches or suggests independent Claim 14 or independent Claim 21. In this case, Figure 1 appears to provide the schematic of a conventional printer for measuring ink consumption (Inora, Col. 2, lines 46-59); Figure 2 illustrates an overall printing process used when measuring ink consumption (Inora, Col. 3 lines 42-48); Figure 5 illustrates a flow diagram for measuring ink consumption (Inora, Col. 5, lines 19-30); Figure 6 illustrating several blocks of dots and the effect of non-ejecting dots on ink consumption (Inora, Col. 5, lines 47-59). Unfortunately, no

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subsystem in these figures tends to teach or suggest through the illustration or accompanying text “generating a print document that can be printed in [sic] an ink rationing printer” as suggested by the Examiner with respect to Claim 14 or “generating a print job in response to the content and the at least one print priority level” as suggested by the Examiner with respect to Claim 21. Once again, Inora concerns measuring ink consumption and does not teach or suggest rationing ink in a printer thus both Claim 14 and Claim 21 also remain in condition for allowance as submitted. Further, dependent Claims 15-16 and Claim 22-23 include at least the same limitations of Claim 14 and Claim 21 respectively thus also remain patentably distinct over the cited art for at least the same aforementioned reasons.

While Applicant acknowledges the Examiner’s rejection of Claim 10 and Claim 18 over Inora in view of Grune, both these dependent claims remain patentable based upon their dependence on Claim 7 and Claim 17 for at least the reasons previously described above.

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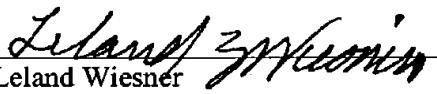
In accordance 37 CFR 1.121 and the revised amendment practice effective July 30, 2003, the claims provided above represent a complete listing of the claims with the current revisions and other status identified. The clean version of the claims has been omitted as this is no longer required.

In summary, the Applicant has made a diligent effort to place the claims in condition for allowance. However, should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone Leland Wiesner, Applicants' Attorney at (650) 853-1113 so that such issues may be resolved as expeditiously as possible.

For these reasons, and in view of the above amendments, this application is now considered to be in condition for allowance and such action is earnestly solicited.

Respectfully Submitted,

July 21, 2003
Date



Leland Wiesner
Attorney/Agent for Applicant(s)
Reg. No. 39424

Leland Wiesner
Attorney
1144 Fife Ave.
Palo Alto, California 94301
Tel. (650) 853-1113

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